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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/888,350	06/21/2001	Christian L. Struble	10005647-1	8895

7590 10/05/2004

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EXAMINER

GIBBS, HEATHER D

ART UNIT

PAPER NUMBER

2622

DATE MAILED: 10/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/888,350	STRUBLE, CHRISTIAN L.
	Examiner	Art Unit
	Heather D Gibbs	2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 21 June 2001.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-24 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 21 June 2001 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>09/14/2004</u> .	6) <input type="checkbox"/> Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2,4,6,10,12-14,18-21,23-24 rejected under 35 U.S.C. 103(a) as being unpatentable over Cotte et al (US 5,499,108) in view of Cho (US 5,995,593).

Considering claim 1, which is representative of claims 4,6,10,12,14,18-20,23-24, Cotte discloses A method of document scanning comprising: a request, initiated by a mobile computing device, to a scanner to image a paper document into an electronic document; imaging the paper document with the scanner to produce the electronic document; and sending the electronic document from the scanner to a document server identified by the mobile computing device.

Cotte does not disclose expressly a wireless request.

Cho discloses a system of wireless scanning.

Cotte & Cho are combinable because they are from the same scope of nature.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Cho's wireless scanner with the scanning method of Cotte.

The suggestion/motivation for doing so would have been because both disclose image-processing apparatus for scanning original document to create electronic representations of the original.

Therefore, it would have been obvious to combine Cho with Cotte to obtain the invention as specified in claims above.

Considering claim 2, which is representative of claim 21, Cho teaches The method of claim 1 wherein the communicating step further comprises: wirelessly sending from the mobile computing device, directly through at least one of a radio and infrared communication protocol, to the scanner a request to image a paper document at the scanner (Col 3 Lines 49-67).

3. Claims 3,5,7-9, 13-17, 22 rejected under 35 U.S.C. 103(a) as being unpatentable over Cotte and Cho in view of Browning (US 6,081,629).

Considering claim 3, which is representative of claim 22,Cotte and Cho disclose the wireless scanner as discussed above.

Cotte and Cho do not disclose expressly wherein the communicating step further comprises: wirelessly obtaining with the mobile computing device an address of the scanner and a document identifier of the paper document; wirelessly sending from the mobile computing device to the document server an address of the scanner and the document; and querying the scanner with the document server using the scanner address and the document identifier to request the electronic document.

Browning discloses The method of claim 1 wherein the communicating step further comprises: wirelessly obtaining with the mobile computing device an address of the scanner and a document identifier of the paper document; wirelessly sending from the mobile

computing device to the document server an address of the scanner and the document; and querying the scanner with the document server using the scanner address and the document identifier to request the electronic document (Col 4 Lines 3-14).

Cotte, Cho & Browning are combinable because they are from the same scope of nature.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the obtaining of wireless address as taught by Browning with the wireless scanner of Cotte and Cho.

The suggestion/motivation for doing so would have been to request a document via an address of the scanner.

Therefore, it would have been obvious to combine Browning with Cotte and Cho to obtain the invention as specified.

Regarding claim 5, Browning teaches sending a password from the mobile computing device to the scanner to authorize scanning the paper document [user verification](Col 1 Lines 45-57).

Regarding claim 7, Browning teaches The method of claim 6, and further comprising: prior to the first sending step, wirelessly obtaining from the scanner with the mobile computing device the scanner address and the document identifier (Col 5 Lines 54-67).

Regarding claim 8, Browning teaches the method of claim 6 and further comprising: imaging a paper document with the scanner to produce the electronic document (Col 2 Lines 46-58).

Considering claim 9, Browning teaches the method of claim 8 and further comprising: storing the electronic document in a memory component of the scanner for retrieval by the document server (Col 4 Lines 3-14; 42-51).

Regarding claim 11, which is representative of claim 15, Cho teaches a multifunction printer incorporating the imaging mechanism and wireless communication module (sent via network) and wherein the scanner further comprises a multifunction printer configured for copying, scanning, faxing, and emailing documents (Col 4 Lines 11-20; Fig 1).

Considering claim 13, Browning teaches the system of claim 12 wherein the wireless communication module is configured for wirelessly sending the electronic document to the document server (Col 4 Lines 42-51).

Considering claim 16, Browning teaches the scanning system of claim 14 and further comprising: a network communication link configured for facilitating communication between the mobile computing device, the scanner, and the document server (Col 3 Lines 33-44).

Regarding claim 17, Browning teaches the scanning system of claim 14, wherein the mobile computing device further comprises at least one of a personal digital assistant, a portable computer, and a mobile phone (Col 3 Lines 28-33).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Heather D Gibbs whose telephone number is 703-306-4152. The examiner can normally be reached on M-F 8AM-4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on 703-305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Heather D Gibbs
Examiner
Art Unit 2622

hdg


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